A SPEECH Without Doors.

Sibi id Negoti credidit solum dari,
Populo ut placerent quas fecisset Fabulas
Terent.

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Advertisement.

THey who have Read Dr. Sacheverall's *Sermons, may easily know who was not the Author of his Speech. The Doctor was not contented to deliver this Speech to the Lords his Judges, but has also publish'd it in a small Print and by his Party industriously spread it throughout the Kingdom. This is an Appeal from the Lords to a much Inferiour Order. But since the Proceedings of our Legislators will be beyond the reach of such Readers, and that it is nevertheless fit that these should not be deluded; this Speech is fitted both to the Pockets and Understandings of the Doctor's* Judges without Doors.

BRITISH MUSEUM

A SPEECH *without Doors.*

Gentlemen,

DR. *Sacheverell* has been impeach'd at the Bar of the House of Lords by the Commons of Great *Britain*, and Convicted at that Bar of High Crimes and Misdemeanors; the Substance of one of them is, That he asserted in his Sermon Preach'd in the Cathedral of St. *Paul*, that it is unlawful to resist our Kings upon any pretence whatsoever; and that he did this with an intention to cast odious aspertions on the Memory of our late Glorious Deliverer, and to blacken the Revolution.

Gentlemen we are beholden to the Doctor, for saving our Representatives a great deal of trouble, to prove him guilty of this assertion. He had deliver'd it in so plain, so peremptory Terms, that he had put it out of his power to deny it: and therefore his Counsel, in his Answer, and the Composers of his Speech, have confess'd and justify'd it by pretended Principles of the Church of *England*.

It is manifest beyond all possibility of Contradiction, that this is not the Doctrine of the Church of *England*, as by Law establish'd, ever since the Revolution. Indeed I am not very Solicitous, if before that time this might have been pretended to be a legal Doctrine: we have had Princes so full of their designs of Arbitrary Power, we have had Parliaments so ready to compliment them with whatsoever they thought fit to ask, that it is no wonder if pretences for such a Doctrine may have crept into some of our Statutes, and have been incorporated with our Laws. But this was the very thing which brought upon us all those Miseries which call'd for the Revolution; and now ever since that time every the least Pretence for this Assertion stands repeal'd by the Act of Settlement of the Crown, by which also the Rites and Privileges of the Subjects are se-

ſecur'd. By that Act the Subjects are declar'd to have a Remedy as well as Right to all their Privileges; all Oaths of unlimited Submiſſion to our King are repeal'd, and new Oaths of general Allegiance are ſubſtituted in their places, any Law or Statute to the contrary notwithſtanding.

But nothing leſs will ſatisfie the Doctor, than that this muſt ſtill be a legal Doctrine: The Homilys, the Articles the 13*th* of *Eliz.* and the Act for Uniting the two Kingdoms, are brought for this purpoſe, by which he will needs have the laſt Statute on his ſide. There are indeed Paſſages in the Homilys which ſeem as much to aſſert the illegality of Reſiſtance upon any pretence whatſoever, as the Doctor has done in his Sermon: and ſo there are places in the Homilys againſt the uſe of Organs in Churches which yet are generally receiv'd. The Compilers of the Homilys were good Men, nevertheleſs they were but Men, Men of like Prejudices and Paſſions with other People, Men without the Inſpiration of the Holy Spirit; and however this may be, yet they could not give the Sanction of a Law to any thing which they deliver'd. The Articles were compos'd by a more Reverend Authority, that of a Convocation of the Clergy of *England*: yet this of it ſelf is not equivalent to a Law. Now all that the Doctor can draw from the Articles is, that they declare the Homilys to contain a godly and ſound Doctrin in general, without affirming this of every Paſſage in every Homily. Certainly it never was the Intention of the Makers of the Articles, to give as much Authority to the Compilers of the Homilys, as to the inſpir'd Penmen of the Holy Scriptures. The Act of of the 13*th* of *Eliz.* has indeed given the Sanction of a Law to the Articles; but has requir'd no larger Aſſent to the Homilys than is requir'd by the Articles themſelves. And laſtly, the Act of Union has confirm'd the 13*th* of *Eliz.* and conſequently the Articles and made the ſame perpetual. So that all we have gain'd by

y this, is, that we have a Law ſtill in force, declaring hat the Homilys contain a wholeſom, godly and ſound Doctrine; which I verily believe they do, and yet with ome few Errors which I am no where forbid to acknowedge. And this Doctrine of Non-Reſiſtance is one; it is irtually, ſo declar'd by the Act of Settlement of the rown, which in no part nor by any Conſtruction of Law an be intended to be repeal'd by the Act for uniting the wo Kingdoms.

The Doctor has laid ſome ſtreſs upon the Decree of the niverſity of *Oxford* in Convocation, for burning ſeveral ooks for Aſſertions contrary to his Doctrine: But what uthority could they have to make any ſuch Decree? he Lords have paid as juſt a Regard to it as it deſerv'd, y ordering it to be burnt by the common Executioner.

Laſtly, the Doctor has endeavour'd to juſtify himſelf y the Authoritys of Court-Sermons, and of many Reerend Divines who were too naturally carry'd away with he current Stream of that Doctrine. This had ſo much ncourag'd ſome of our Kings to aſſume an Arbitrary ower over their Subjects, as brought us to the very ink of Ruin. We were ſav'd by the Revolution by hich we gain'd the Bill of Rights; and as long as this all continue in force, the Unlawfulneſs of Reſiſtance pon any pretence whatſoever can never be a legal Doctrine.

It might have been expected that a Divine ſhould deend his Doctrine by Authority of the Holy Scriptures. he Lords, the Commons of *Great-Britain*, will yield this Authority. Every Power, every human Law uſt give place to the Law of God. But the Scriptures e all ſilent in this matter; they leave us to our own onſtitution for *the Meaſures of our Submiſſion*; they eſcribe no Obedience of the Subject contrary to the aw of Nature, the Laws of Nations, or the particular

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Laws of our own Country. With the leave therefore of this Reverend Gentleman, I ſhall be able to ſhew that the Authority of all theſe Laws is againſt his utter Illegality of reſiſting Princes upon any pretence whatſoever.

Indeed if this Prerogative, never to be reſiſted upon any pretence whatſoever, may be thought to belong to any King at all, it muſt be to ſuch a one as has the whole Power, the *Imperium ſummum ſummo modo*, the moſt abſolute Power in the moſt abſolute degree, by whatſoever name he is call'd, whether by the name of Duke, Marquiſs, Earl, Baron, or any other inferior Title. And it cannot belong to a Prince without this Power, and with any name whatſoever, tho' with that of King, Emperor, Grand-Signior, Great-Mogul, or any more magnificent Title.

It cannot belong to a King who by the Conſtitution of his Country has no part at all in the ſupreme Power; ſuch were heretofore the Kings of *Sparta*. But theſe were only nominal Kings; in effect they were but Miniſters of the People. This never was the Caſe of the Kings of *England*, and 'tis to be hop'd never will be the Caſe of the Kings of *Great-Britain*; it is to be hop'd they will ever have a juſt Share in the Supreme or Legiſlative Power. But the Doctor's Aſſertion is ſo univerſal, that it leaves no Exception even for the Kings of *Sparta*. The *Spartans* were not at liberty, according to this Gentleman, to erect what Form of Government they pleas'd: When they had once ſet up Kings (with whatſoever Limitations) they were bound for ever and without any exception to obey them; and it was unlawful for them to reſiſt upon any pretence whatſoever. And thus has this great Maſter of Politicks preſcrib'd to the *Spartans* a Law, of which *Lycurgus* never dreamt.

Again, this Prerogative, never to be reſiſted upon any pretence whatſoever, cannot belong to a Prince whoſe Government

Government is limited for a certain time. The Dictators of *Rome* were as absolute Magistrates as ever were created: They were Magistrates from whom there was no Appeal. But their Power was of short continuance; it was *Imperium Semestre*, a Government only for half a year. And should a Dictator have endeavour'd to hold on his Office beyond that Limitation, it would have been lawful for the People to resist him. But according to this Author, the *Romans* were quite mistaken; when they had chosen a Dictator for six months, they were bound to obey him for ever, and it was out of their power to remove him.

And just like this is a Government upon Condition: If a King by the Constitution of his Country has taken his Kingdom upon Condition, whether expres'd or imply'd, it must be said that a Government upon Condition is a Government with a Limitation. Now it is the very nature of Conditions, that the Breach of them shall determine every thing to which they are annex'd: And this holds true in all things, from the Kingdom to the meanest Trifle. But according to this Gentleman, if a Prince shall break the Condition upon which he receiv'd his Kingdom, his Subjects shall not take the Forfeiture of that Breach; the Condition it seems is void, but the Kingdom Absolute.

Again, if a King has only part of the Supreme Power; and any other part of it remains with the Senate or the People, to be exercis'd either severally by themselves or joyntly with their King; in this case, if the King shall seize the Part which does not belong to him, it will be lawfull to resist him. And this is true, tho' the Militia or the Power of the Sword be lodg'd with the King alone; for that must be understood to be a Power of making Foreign Wars, Wars upon the Enemys of the State, and not to restrain the People from defending their own Share

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in the Publick Constitution. But now, according to this Gentleman, if the Constitution has given the King a part of the Supreme Power, he may seize the whole; for the People are never to resist him upon any pretence whatsoever.

I think all the Cases of Resistance, which have been mention'd, are to be found in *Grotius*, an Author generally valu'd by the Clergy of the Church of *England*: For my own part I have a very great Veneration for him, but none at all for these Cases because they are affirm'd by him, or by any greater Authority, but because they are first Principles. They are Laws of Nature and Reason, which ought no more to be disputed than the first Principles of Geometry.

Surely, *Gentlemen*, this Quality never to be resisted upon any pretence whatsoevr, cannot belong to a Prince consider'd in any of the Cases which have been mention'd because every such Prince wants something of Absolute and Supreme Power. But then let a King be ever so Absolute, let him be perfectly Supreme; yet if instead of protecting his People, he shall endeavour or compass their Destructions, I must beg leave to say, that by the Law of Reason and Nature, Protection and Allegiance are reciprocal; and if the Prince fails of Protection, he absolves his Subjects from their Allegiance. Protection of the People is the Condition as well as End of every Government; and then what was said before will hold true, A Government upon Condition is a Government with a Limitation, and the Breach of the Condition brings it to an end.

I might produce out of History many Examples of the Practice of Nations, founded upon this Law of Nature or Reason; but a few that are modern, and known to every Man living, will be sufficient. Perhaps there is not a more absolute King in the World, than the Enemy with

with whom we have been so many Years contending Yet when the Allys sit down before his great Towns, before *Lisle*, before *Turnay*, *Landau*, or any other Places what do the People do? They don't think fit to wait for Succour from his superior and better-appointed Armys; they capitulate for themselves in time, and for the Preservations of their Rights and Privileges: they withdraw their Allegiance for their Old Sovereign, and transfer it to his Enemys. And does the Doctor, does any Man doubt that they are now the Subjects of those Princes to whom they have sworn Allegiance? or that by the Commands of their new Sovereigns they may lawfully resist their old Master? And yet he was guilty of no other Offence towards them; his single Guilt was, his being no longer able to protect them: This was the Breach of the Condition of his Government, and by this he lost all his Right and Title to their Allegiance.

But what then, if this Prince, instead of not being able to protect these People, had resolv'd upon their Destruction? What, if he had himself come against them at the head of his Armys, with a Resolution to burn their Towns, to seize their Estates and Propertys, to enslave or destroy their Persons? Surely by the same Law of Reason it must have been more lawful for these very Subjects, in this extremity, to betake themselves to the Protection of other Princes, or to defend themselves against such Violence.

And such a Conduct would be justify'd by the Practice of Nations. That of the *Dutch* is very remarkable: Their Estates, their Libertys, their Lives, and their Religion, every thing that was dear and valuable, was invaded by the King of *Spain*, their Sovereign: He sent the Duke of *Alva*, the sworn Enemy of this People, to destroy them: They had no whither to fly for Protection: They bravely stood upon their own Defence; they withdrew their Allegiance from their old Prince, and declar'd

themſelves a Free and Independant State. They were acknowledg'd, and aſſiſted as ſuch, by our Renown'd Q. *Elizabeth*; they were acknowledg'd to be ſuch by moſt other Potentates of *Europe*, and laſt of all by their own Prince. And does any man doubt that they are a Free and Independant State? Does the Doctor himſelf believe that any Allegiance is due from this People to the King of *Spain*? Does he make the leaſt doubt of the Legality of their firſt Inſtitution? Tho poſſibly they had nothing to juſtify their Conduct, but the Law of Nature, the Practice of Nations, and the Breach of the very Conditions of Government on the part of their Sovereign, Almighty God, by his peculiar Providences to this People ſeems to have juſtify'd their Conduct: They have now for above the ſpace of a hundred years, by a wiſe Oeconomy and frugal Adminiſtration, made a more conſiderable figure in *Europe* than their old Maſter, with all the Gold and Silver of the *Indies*, and a hundred times greater Extent of Territory than belongs to this little People.

Such has been the Practice of Nations in like Caſes of Extremity; and the Practice of Nations is what we call the Law of Nations. But the ſame is alſo founded upon the Law of Nature and Reaſon; namely, That tho' a Prince be Abſolute by the Conſtitution, tho he be poſſeſs'd of the whole Supreme Power; yet if inſtead of protecting his People, he ſhould endeavour to deſtroy them, he would break the Condition of his Government and loſe all Right and Title to his Supremacy.

By this Law of Nature & Nations, we ſhall be very well able to juſtify our own Conduct towards the Pr. whom we reſiſted, when we ſhall have firſt conſider'd ſome part of his Conduct towards us, before we made any reſiſtance. He certainly broke the Condition of his Government; he acted contrary to the very End of it; it was his Reſolution to deſtroy his People. It is a Principle of Popery, That Faith is not to be kept with Heretick

it is also a Popish Principle, That Hereticks ought to be destroy'd: These are Principles of that Church, for they have been decreed by one of their General Councils. In pursuance of these Principles, the Rebels of *Ireland* destroy'd the Protestants, Men Women and Children, by the most Barbarous Executions we have read of in any Age or History. In pursuance of these Principles, and of the Popish League to extirpate the Nothren Heresy (so we Protestants are call'd) his most Christian Majesty revok'd the Edict of *Nantz*, the fundamental Security of his Protestant Subjects, after a solmn Declaration that it was never intended to be kept by himself or his Predecessors, but for their own Convenience. When this Edict was revok'd, the Dragoons were immediately let loose upon the poor Protestants, for their Conversion. Now if the Prince whom we have resisted was not in the same League, why did he suffer himself to be told in print that he was, & in Books publish'd by his immediat allowance; and that he was to have the assistance of the *French* K. to convert his own Subjects? Why did he keep up a Standing Army in a time or profound Peace, against the known Usage of this Kingdom, and to' the great Terror and Grievance of his People? Why was he every day modelling that Army, and filling it with the Sons of those *Irish* Rebels, or those *French* Converters, as if no others had been fit for the Service? All our Civil and Religious Rights were as much invaded by the evil Counsels given to this unhappy Prince, as those of the *Dutch* by the King of *Spain* and the Duke of *Alva*; and we had no remedy left but the last. The same Law of Nature which justify'd the People of *Lisle*, *Tournay* and *Landau*, in transferring their Allegiance to the Enemys of their Prince, when he was no longer able to protect them; the same Law of Nature, which justify'd the *Dutch* in withdrawing their Allegiance from the King of *Spain*, when instead

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of protecting he endeavour'd to destroy them; the same Law, which will justify the like Conduct of every other Nation in the like Extremity, will justify our Resistance, when our Destruction was resolv'd, and the very Condition of the Government was broken. Tho' the King had been the most Absolute Prince in the World, tho' he had been possess'd of the whole Supreme Power, these had been sufficient Reasons for our Resistance, and his Abdication; and yet to justify our very Reasons, he was all his Life after endeavouring to be restor'd by the Assistance of the *French* King, that very King who has so often broken his Faith with his own and other People. He was never under any Stipulations at all to us, and we had no reason to expect any Mercy from him.

But certainly, *Gentlemen*, the Prince whom we resisted was not Absolute, he was not possess'd of the whole Supreme Power; the Lords and Commons had also their Share, which was invaded and seiz'd by the King. And therefore we have more to defend our Resistance, than that general Law of Nature, by which Kings shall lose their Right of Supremacy, if either they are no longer able to Protect their People, or shall endeavour to destroy them: We have also this other Law of Nature in our Defence, namely, that where by the Constitution the King has only a part of the Supreme Power, and another joint or several Share of the same Power is lodg'd in the Senate or the People; if in such a case the King shall seize the Share which does not belong to him, it will be lawful to resist him.

What I have affirm'd to be the Laws of Nature or Reason or the Practice of Nations founded upon those Laws, the Doctor or those learned Gentlemen who compose for him, may disprove, if I have been mistaken. I must now beg a little of your Patience, while I endeavour to shew that by our own Municipal Laws, by the very Constitution of our Country, the Prince whom we have resisted was not Absolute, was not possess'd

e whole Supreme Power; certainly no King of *England* ever as. This matter will be evident, if we will but give our ſelves me to conſider our Kings thro the ſeveral parts of Supreme owe.

It is a part of Supreme Power to lay Taxes and Impoſitions pon the People. Without ſuch a Power the Government n neither flouriſh in a time of Peace, nor be ſupported in a ne of War. But this part of Supreme Power does not belong our Kings alone. A great deal of Money has been given our Princes, and ſome they have violently taken from the eople under the ſpecious names of Loans and Benevolences. t theſe Violations have ended ſometimes with the Ruin of e Kings themſelves, very often of their Miniſters, and almoſt ways in a more firm Eſtabliſhment of the Peoples Rights by e Declarations of Parliament; ſuch was heretofore the *Magna Charta*, ſuch of late has been the Petition of Right and the ct concerning Ship-money. Will the Doctor now, or any of Friends, be ſo hardy as to affirm that our Kings have this ower without the Conſent and Authority of the Eſtates in Parliament?

To make Peace & War is another part of the Supreme Power. Now indeed for the better conducting this Power, ſo much ecrecy and Intrigue are neceſſary, that the Wiſdom of our onſtitution has thought fit to lodge the ſame in our Kings alone; but then they muſt reſort to the Parliament to oblige Men o their Service, they muſt reſort to the People for Mony to ay their Armys. And ſo long as this is neceſſary, no wiſe Prince ill ever make a War without Advice of his Parliament, where it can be had with ſafety; and where it cannot be ſafely had, he will not venture to do it without a Preſumption of their Conſent.

Juſtice and Mercy are another part of Supreme Power; Juſtice o puniſh Offenders, and Mercy to pardon Offences. Theſe may e exerc'd in common Forms, but Supreme Power muſt not be y'd to any: There may be Judges, and Jurys, and Witneſſes, nd Sheriffs, to bring a Malefactor to the Gallows, but if all theſe Formalitys ſhould be laid aſide for the Wheel, the Rack, he Bow-ſtring, or the fiery Trial, who ſhall contradict the Supreme Power? But now will the Doctor, will any Man affirm, hat this Power without Forms is lodg'd in our Kings alone?

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The King cannot impriſon any Man without a cauſe; and if he does, the Priſoner has his remedy to be diſcharg'd. If a ſufficient Cauſe be ſhown for the Impriſonment, yet may the Priſoner bring this Cauſe to a ſpeedy Trial: The Trial indeed ſhall be before Judges of the King's Appointment; but there is the leſs danger in this, becauſe even theſe very Judges are not, they are ſworn not to be at the King's Command: and yet if they were they cannot influence the Trial. If a Grand Jury of ſufficient Gentlemen ſhould not find a Bill againſt the Priſoner, he ſhall be diſcharg'd. If they ſhould find their Bill, yet is the Sheriff to return another Jury to try the Fact: and here the Priſoner ſhall have his Challenges to the Array, his Challenges to the Poll that his Jury may be indifferent. And then if all theſe ſhould not agree in a Verdict againſt him, he ſhall be diſcharg'd. If theſe ſhould agree in their Virdict againſt him, yet there are a multitude of Exceptions to the Form of the Indictment, and other matters to releive the Priſoner, and to arreſt the Judgment. If all theſe ſhould be over-rul'd, and Judgment ſhould be given at laſt the Execution ſhall be according to the Form of the Judgment; the King cannot change Hanging into Burning, or Drowning, or Breaking upon the Wheel. All that has been ſaid here is but a Comment of our Law on the *Magna Charta* it ſelf *Nullus liber Homo capiatur, &c. niſi per legale Judicium Parjum ſuorum vel per Legem Terræ.*

This is the View of our Kings in their Juſtice: But then for their Mercy, the King indeed may pardon Treaſon, Felony or any other Offence whatſoever; that is to ſay, he may remit the Puniſhment where the Proſecution is at his own Suit. But if a man ſhould be attainted by Appeal, which is the Suit of the Subject, the King cannot ſave him. And even where a Man is attainted at the Suit of the King, and his Blood is thereby Corrupted, the King indeed may ſave the Offender, but cannot purge the Corruption of his Blood. Behold the Power of our King in the Adminiſtration of Juſtice and Mercy! Was ever Prince poſſeſs'd of the whole Abſolute and Supreme Power, ſo reſtrain'd and limmitted in the Exerciſe of ſo neceſſary a part of it.

But the Parts of Supreme Power, which have been hitherto particularly deſcrib'd, are all comprehended in the Legiſlation or the Power of making Laws; and it is a part of this to repeal

dispence with Laws already made. Now will the Doctor affirm that the Laws of this Kingdom are made by the King? Will any man shew a Law that was ever made by any King of *England*? All our Laws are made by the King, Lords and Commons, and by their joynt Consent and Authority, The Consent of all three is necessary; and if the Consent of any one is wanting, no Law can be made. Whence it is plain, that the Power of making Laws is not lodg'd in our Kings alone, but in the Consent or Union, or Federacy of King, Lords & Commons.

Amongst these therefore there must needs be such a degree of Equality, as is necessary to preserve to every one the Necessity of Consent, and a just share in the Legislative Power. For if this should be deny'd, then it will inevitably follow that our Kings alone may Exercise this whole power without Consent of the Lords and Commons, contrary to the Fact, and also contrary to the Supposition. From hence it must also follow that if any of our Kings should take upon him to levy Taxes or Impositions on the People, to dispose of the Lives, Liberties, and Estates of the Subjects without the Forms prescrib'd by Law, to make Laws, or to repeal or dispence with Laws already made; he manifestly takes upon himself to Exercise the whole Supreme Power, and to exclude the Lords and Commons, who may therefore justly petition the Prince to be restor'd to their equal shares. But if this Remedy should fail, they may very justly pursue their Right by War, which is indeed an Appeal to Heaven, but yet the only proper Tryal betwixt Powers that have any kind of equality, and no common or superior Jurisdiction to judge betwixt them. If the Issue of such a War should be, that the King should be depriv'd, and the Lords and Commons should exercise the Supreme Power without him; the King could have no reason to complain, the Retaliation would be very just.

But perhaps it will be said, that by the Kings Usurpation of the whole Supreme Power, this Right can by no means devolve upon the Estates, but rather upon the whole Body of the People from whence it was at first deriv'd, For when the People conferr'd the Supreme Power on King, Lords & Commons, it was their Will to be Govern'd by the joynt Consent of all the three; and the Peoples will to be govern'd by the joint consent of three, is not their Will to be Govern'd by two without the third, any

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more than by one alone without the other two. And therefore the Usurpation of the whole Supreme Power by one alone, by the King for instance, is a Devolution of the Right of this Power not upon the Lords and Commons, but upon the whole Body of the People, who are again at Liberty to make choice of the same Form, or any other Form of Government which they shall like better. But thanks be to Almighty God, that this People as often as they have been compell'd to change their Governors, have still kept to the same Form of Government. so happily contriv'd, and so agreeable to their own Tempers and Dispositions!

The sum of what has been said is comprehended in this short Argument or Syllogism: If a King has only a part of the Supreme Power, and any other part of the same Power remain with the Senate or the People; in this case, if the King shall seize the part which does not belong to him by the Law of Nature or Reason, he may be resisted: but by our Municipal Law by the very Constitution of our Government, the King has only part of the Supreme Power, the rest remains with the Lords and Commons; and thereto e if the King shall seize the share which belongs to the Lords and Commons, it must be lawful to resist him. If the Doctor will think fit to deny the first Proposition, he must deny the Law of Nature or Reason; if the second, he is not afraid to disown our very Constitution, and so many Laws that confirm it. The Doctor by his bold Assertions has deny'd both, and therefore very justly brought upon himself the Prosecution of the Commons of *Great Britain*, and deserved a less gentle Sentence than is inflicted on him.

Now, *Gentlemen*, this Argument I must beg leave to apply to that unhappy Prince whom we resisted, and shew that he disseiz'd the Lords and Commons of their several Shares of the Supreme Power. In the progress of this Argument, you must needs have a lively sense of the pernicious Consequences of this Gentleman's Doctrine upon our Constitution, and of the extreme Miserys to which he so willingly betrays his Fellow-Subjects. It is a part of Supreme Power to lay Taxes and Impositions upon the People; this by our Constitution never

belong to the Kings of *England*; yet the unhappy Prince whom we reſiſted, continu'd the Exciſe and Cuſtoms beyond the Limitation of them by Act of Parliament; this was to lay a Tax upon his People. He quarter'd Soldiers upon the Subjects, this was a more grievous Impoſition, and expreſly contrary to the Petition of Right. Theſe were but the Beginnings of our Sorrows, they were yet in their very infancy; if we had thought fit to have given them time, they would have grown up to their full ſtrength, and beyond the reach of any Remedy. We ſhould long e'er this, even from the very Deceaſe of that unhappy Prince, we ſhould have had the Pretender upon the Throne, who would have laid aſide our Parliaments for ever, and tax'd us at his pleaſure. We ſhould no longer by our own Conſents have given part of our ſubſtance for the preſervation of the reſt; all would have been taken from us by heavy Cuſtoms and Exciſes, for the mere Grandure of our Prince. He would have doubled the Prices of every thing we eat and drink and wear, of all the neceſſarys and conveniencies of Life. He would have reduc'd us, like our Neigbours, who live under the ſame bleſſed Form of abſolute and Never-to-be-reſiſted Monarchy, to black Bread, Garlick and Wooden Shoes; yet even theſe very things ſhould have been alſo tax'd, our very Miſeries ſhould pay their Tributes to ſupport the Luxury of our Prince. In ſhort, he would have made Soldiers of one half of the People, that by their Aſſiſtance he might have made Slaves of the other. And yet by the Doctrine of this Reverend Divine, all this muſt have been endur'd: The Authority of the Estates is by no means to be defended; the King ought not to be reſiſted upon any pretence whatſoever. Now the Men of theſe Principles are generally ſuch, as believe the Pretender to be legitimate; and as they believe the Reſiſtance unlawful, which ſet aſide the Father, they muſt alſo believe the ſame Reſiſtance unlawful, by which the SON has been Excluded. C

They must consequently think it their Duty to invite over the Pretender, and to place the Crown upon his Head. And thus we are to accept of a Viceroy from the very Prince whom at so vast an Expence of Blood and Treasure we have subdu'd; a Viceroy nurs'd and educated in Tyranny, and one that will be sure to follow the Commands as well as Example of his Master; one that will not fail to introduce among us those laudable *French* Methods of Robbing the People at the Will and Pleasure of the Prince. These are some of those Favours this Reverend Divine is willing to bestow upon us, by giving up to *his Prince* the sole Power of laying Taxes, and by depriving the People of their whole Interest in this part of our Constitution.

But then it is also a part of Supreme Power to dispose of the Lives, Liberty's, and Estates of the Subjects without the Forms perscrib'd by Law: This never did belong to the Kings of *England*; yet the unhappy Prince whom we resisted, executed Martial Law in an Army rais'd without his Parliament; he erected an Ecclesiastical Commission with a Power to imprison others during Life, and even to deprive Ecclesiastical Persons of their Benefices for Disobedience to their illegal Censures. This was to dispose of the Lives, Libertys and Estates of the People, contrary to the Forms prescrib'd by Law. Now if notwithstanding this, the Resistance was unlawful by which that Prince was depriv'd, it was most certainly our Duty during all the rest of his Life to have repossess'd him of his Kingdoms. If also that Resistance was unlawful by which the Pretender was excluded, we are now oblig'd in Duty to place him on the Throne. And then what an Alteration will be made in the whole Course of Justice? Then all those solmn Forms of our legal Proceedings will be thought too slow, they will vanish with our Parliaments; no longer any Trials by our Peers

by our Neighbours, by those that know us: Justice will be more expeditious: Wheels, Racks and Galleys, so successfully practis'd in *France* to subdue the Tempers of that People, and so often recommended to us by *French* Lackeys and Valets-de-Chambers: Wretches! that are fled hither for shelter from Persecution, and yet are every where full of the Splender of their August Monarch, and his Absolute Power to command their Heads from off their Shoulders. And yet according to this worthy Divine (instructed no doubt by such Schoolmasters) our legal Proceedings are without defence; our Lives, Libertys and Estates are at the absolute Will of the King, who is not to be resisted upon any pretence whatsoever. Good God! And is this the Man for whose sake you have rais'd such Insurrections and Rebellions? for whom your Zeal has flam'd out in Bonfires and Illuminations? Whose Health is every where recommended in the same Glass with the Queen and the Church of *England*? Are Racks, Wheels and Galleys then such Benefits to a Nation? Is it possible you should be so fondly, so blindly devouted to the Man, who has given up to *his Prince* your Lives, Libertys and Estates, by betraying that part of our Constitution which is so necessary for their Defence.

Lastly, It is a part of Supreme Power to make Laws, and also to repeal and dispense with Laws already made: This by our Constitution was never lodg'd in our Kings alone; yet the unhappy Prince, whom we resisted, set forth Proclamations against Laws, and commanded the same to be read in Churches by Ministers, under pain of Deprivation: this was to give the Force of Laws to his own arbitrary Edicts. He dispens'd with all those Laws at once, which had been many Ages making, to secure our Religion and our Libertys. This was to exercise the whole Legislative Power. And what were the Conse-

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quences of Diſpenſing with thoſe Laws which were the Bulwarks of our Religion? Prieſts and Jeſuits ſwarm'd among us; our Biſhops, our Paſtors, the Diſpenſers of God's Holy Word and Ordinances, were ſuſpended; the *Parkers*, the *Cartwrights* (ſuch Sycophants!) were plac'd in Biſhopricks, or elſe they were kept vacant for the reception of Popiſh Succeſſors; the very Colledge where this worthy Doctor had his Education was evacuated, and fill'd again with Fellows of that Religion: Popery was breaking in upon us like a Deluge. But had we but the patience to have ſtaid till the Pret. ſhould have ſucceeded, the Bible would have bin taken out of the hands of the People, our Liturgy would have been baniſh'd, Maſs would have been introduc'd in all our Churches; and according to the Example of *France*, not a Man would have been ſuffer'd to live in this Kingdom that durſt own himſelf a Proteſtant. And yet, according to the Doctrine of this Gentleman, all this muſt have been endur'd: And if upon this Principle the Pretender ought not to have been excluded, by the very ſame it is our Duty to reſtore him, as much a Bigot as he is to Popery, and tho he were ſure to return with all his *French* Maxims of Government, and thoſe powerful Methods of Converſion, Galleys and Dragoons. Our Acts of Settlement, our Acts and Oaths of Abjuration, all our Laws for the Eſtabliſhment of the Church of *England*, muſt fly before him, ſince the King is not to be reſiſted upon any pretence whatſoever. And is this Gentleman indeed in ſuch diſquiets for the Church? Is this the Gentleman that muſt fright the People with the great Danger of the Church from the Adminiſtration of the Queen? Is the Church in greater Danger from any Man than from himſelf? Does not this very Principle of the Doctor lead us directly on to Popery?

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They are Men of this Principle, who are always preaching to the People the Independant Power of the Church, and the dangerous Schism of dividing from the Authority of the greater part of the Clergy. And how then is our Reformation by Queen *Elizabeth*, against the Consent of the Clergy, to be justify'd upon this Principle? It could not be otherwise than a Schismatical Reformation; and it will be our Duty to return as fast as ever we can into the Bosom of HOLY CHURCH, a Term which our modern Addressers have borrow'd from the Bigots of the Church of *Rome*. And is not the Doctor also of this Principle? Upon what else does he build his indelible Character, his uninterrupted Succession from the Apostles, his Authority over his Flock which he pretends to have receiv'd by the Gift of the Holy Ghost? Is the Voice of a *Select Vestry*, the Voice of the Holy Ghost? Is not the Independent Power of the Clergy a direct Principle of Popery, which must endanger the Church of *England*?

They are Men of these Principles, who are, like the Romish Church, for taking the Bible out of the hands of the People; who think the Creed, the Lord's Prayer, and Ten Commandments sufficient for their use; who endeavour to persuade them that the possession of the whole Bible will lead them into Heresys, and that Ignorance is better than Heresy, and is moreover the Mother of Devotion. And is it not upon this Principle that the Doctor has so superciliously pass'd over all the Arguments of the Learned Managers of the House of Commons by which his false Comments on the several Passages of Scripture have been confuted? It seems those Gentlemen are Lay-men; and, contrary to the Sense of the Apostle, they must not, like the noble *Bereans*, be intrusted with the privilege of searching the Holy Scriptures.

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Again, They are Men of these Principles who are preaching up the Union of the Churches of *England* and *France*, and who are projecting Schemes for uniting the Clergys of both Kingdoms. Surely they are very fond of that Spirit of Persecution, which has so lately clear'd *France* of the Heresy of Protestants. And is it not with this Spirit of the Church of *Rome*, that the Doctor inveighs with so much Fury against the Toleration? But what kind of Union would these Gentlemen propose? The Infallible Church will abate nothing; it therefore must be their Intention to make us absolute Converts of Popery.

They are also Men of these Principles, who are so zealous to recommend the Necessity of Auricular Confession, so useful in the Romish Church to enslave the People to the Priest. It seems they want to be admitted into our Closets, into our very Bedchambers, to a closer Conversation with our Wives. If this has rais'd for the Doctor a Party among the Women, is he also for the same reason become the Favourite of their Husbands? And is not the Church in danger from such Principles as these?

These are indeed direct Principles of Popery; but that of which the Doctor has been accus'd and convicted, is worth all the rest for the Establishment of that Religion: For if the Prince shall resolve, in defiance of our Laws and Constitution to impose Popery upon the *People*; yet he is not to be resisted upon any pretence whatsoever. For my own part I sincerely believe the Doctor wou'd not resist a Prince, that shou'd impose Popery on his Country.

And is this your Idol? Is this the only Object of your Worship? Is he another Saviour, that you thus croud about him to touch the Hem of his Garment? for what Virtue? for what Holiness? for what Remedy of your Distem-

Diſtempers? for what ſingle Benefit either receiv'd or expected? Is he then ſo great a Benefactor to the Nation, by having given up to the abſolute Will of the Prince, your Eſtates, your Libertys, your Lives, and your Religion, and even the very Laws, and the Legiſlative Power that defend them?

But with the leave of this generous Gentleman, he has given away more than was his own, and which I verily believe *his Prince* never will be able to enjoy: For it is manifeſtly prov'd, that the King whom we reſiſted never was poſſeſs'd of the whole Abſolute and Supreme Power; he was not poſſeſs'd of the whole Power of laying Taxes upon the People, of diſpoſing the Lives, Libertys and Eſtates of the Subjects contrary to the Forms of Law, of making Laws, or repealing or diſpenſing with Laws already made. But he ſeiz'd all theſe Powers, in defiance of our Conſtitution, and without conſent of the Eſtates. So far was he from having their Conſent, that he endeavour'd to deprive them of their very Being. The Commons of *England* were one of the three Eſtates, and entitled to an equal ſhare of thoſe Powers. The Commons ought to be Repreſentatives of the People, freely choſen by their reſpective Countys, Citys and Boroughs. Some of the Electors were cloſeted for their Conſents to chuſe ſuch Tools as wou'd be fit for the King's Occaſions; others were utterly depriv'd of their Votes by Judgments on *Quo Warranto's*, and other illegal Regulations of Charters and Corporations.

The Argument, Gentlemen, is now brought into a very narrow Compaſs. A King who inſtead of protecting his People endeavours to deſtroy them, acts contrary to the End, breaks the Condition of his Government. A King who by the Conſtitution of his Country, has only part of the Supreme Power, and yet ſeizes the Whole; a King, I ſay, in either of theſe Caſes may be reſiſted by

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the Laws of Nature. The Prince whom we resisted i
prov'd beyond all possibility of Contradiction to hav
been this very King. And therefore we invited over th
Prince of Orange; the Lords, the Commons, the Clergy
the Laity, all Orders and Degrees of Men amongst u
went chearfully into his Assistance; and thus we gain'd
the Revolution.

If things were to be measur'd by their Consequences
the Success wou'd justify the Means. By these means we
were enabled to place the Crown upon the Head of our
late glorious Deliverer: He rous'd us out of our former
Lethargy, and from the lowest degree of Contempt and
Infamy rais'd us to a Reputation beyond that of any o
ther Country.

By these means we see the Crown flourishing upon
the Head of Her Sacred Majesty: She has carry'd on the
Glory of her Reign beyond that of all her Predecessors;
she has sent her victorious Armys into Countrys, where
the Names of many of her Predecessors were hardly ever
heard; she has reduc'd her own, and the most formidable
Enemy of all Christendom; she has taught him to re-
trench from his Schemes of Universal Monarchy, and to
humble himself into the Posture of a Petitioner for the
preservation of his old Dominions: And to compleat her
Conquest of this Hero of all Seasons (as he is usually stil'd
by his Flatterers) her Armys have just now, almost in the
time of Winter, enter'd his Lines, and live at Discretion
upon his Countrys. If the Heart of this ambitious Prince
shall still be harden'd against the Prayers and Tears of
his poor Subjects, yet we ought to be very thankful for
this Success, which seems to be the Reward of Heaven
for those Expressions of her Majesty's Piety towards God
and Love for all her People, so lately, so affectionately
deliver'd from the Throne.

And since it has pleas'd Almighty God, for our Sins

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no doubt, to deprive her Majeſty and the Nation of that ineſtimable Bleſſing the Duke of Gloceſter; and if it ſhall alſo pleaſe him to grant us no other Branch of this Excellent Princeſs, yet by theſe means we have been enabled to repair in ſome degree ſome part of that Loſs, by ſettling the Succeſſion of the Crown in the Proteſtant Line of the Illuſtrious Houſe of Hanover; by which we have provided not only for our preſent Security, but (it is to be hop'd) for that of our Poſterity for ever. Unleſs the Doctor, and ſuch as are of his Principles and Party, ſhall be allow'd to ſpread their Poiſon, to infect the People, and to make us out of love with our own Happineſs.

The Doctor has aſſerted the utter Illegality of reſiſting Kings upon any pretence whatſoever: but he is amaz'd that by any Conſtruction, this ſhould be thought a deſign to blacken the Revolution, caſt odious Aſperſions on the late King, arraign the Titles of the Queen and the whole Proteſtant Succeſſion, encourage Sedition, and promote a Rebellion againſt the Government; for how ſhou'd the Doctrine of Non-Reſiſtance give any Encouragement to Rebellion?

For my own part, Gentlemen, I ſincerely believe her Majeſty's Title to her Kingdoms to be indiſputable. The ſame thing is alſo pretended by the Doctor, and ſome others of his Party; I muſt therefore beg the favour of an Anſwer to this Queſtion: If a ſucceſsful Rebellion (which God forbid!) ſhou'd force her Majeſty to ſeek ſhelter in a Foreign Country; if alſo (which is impoſſible) the Hearts of the People ſhou'd be given to the Uſurper, what more effectual Method cou'd be taken to ſhake the Throne of this Uſurper, and to reconcile the Subjects to the Queen, than to Preach the utter Illegality of reſiſting Kings upon any pretence whatſoever? for ſhou'd the People come once to be perſuaded of the Truth of this Doctrine, muſt they not think it their

Duty to revolt from the Uſurper, and to reſettle Her Majeſty upon his Throne? The only Inſtance in which this Doctrine wou'd be capable of doing Good.

But what will People think, if once generally perſuaded of the Truth of this Doctrine? What muſt People thus perſuaded think of the Revolution, which was founded upon Reſiſtance, and is no otherwiſe to be juſtify'd than by the Legality of that Reſiſtance? Is not the Revolution blacken'd by the Aſſertion of this Doctrine?

Again, what muſt People thus perſuaded think of the Title of our late glorious Deliverer, which was founded upon Reſiſtance; and upon ſuch a Reſiſtance too, as not only ſet aſide a King, and ſome other Pretenders for ever, but alſo poſt-pon'd for the Life of his late Majeſty two nearer and every way unexceptionable Heirs of the Crown? How cou'd this be lawful, if the Reſiſtance by which it was effected was unlawful? And is not this to caſt an odious Aſperſion on the Memory of the late King?

There are Multitudes ('tis fear'd) believe the Pretender to be legitimate. And what muſt People that believe this, and alſo the utter Illegality of Reſiſtance upon any Pretence whatſoever? What muſt People ſo perſuaded think of the Title of her preſent Majeſty? It will be very heard to juſtify it, to ſuch as believe the Legitimacy of the Pretender, but by the Legality of that Reſiſtance, by which the Pretender was rejected.

Again, what muſt People thus perſuaded think of the whole Proteſtant Succeſſion? The Titles of thoſe Princes cannot otherwiſe be juſtify'd, than by the Legality of that Reſiſtance, which has ſet aſide ſo many near Heirs to the Crown, to make way for that Succeſſion.

But laſtly, if People ſhall come once to be truly infected with the Poiſon of this Doctrine, and to believe the utter Illegality of reſiſting Princes upon any pretence whatſoever; and in conſequence of this; that our Prince

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who ſubſiſt upon the Reſiſtance made at the Revolution are Kings *de facto*, and not *de Jure*, mere Uſurpers of the Crown: what muſt they then think of our whole preſent Conſtitution? What muſt they think of our Parliaments ſummon'd by the Writs of ſuch Princes? What elſe can they think, but that they are ſo many Routs, Riots, or unlawful Aſſemblys? that every Act of Parliament made by them is a Force without Right? that every Tax they have levy'd is a Robbery of the People? That the Lords are no Houſe of Lords, and the Commons no Houſe of Commons?

It is impoſſible to preach Obedience, upon ſuch Principles as tend directly to the Subverſion of the Government. And therefore we have very lately ſeen the People up in Arms; the Doctor's People, his Paſſive-Obedience, his Non-reſiſting People, in open Rebellion againſt her Majeſty, in contempt and defiance of the Lords and Commons then ſitting, to reſcue an Offender out of their hands. And what does all this ſhew, but the utmoſt Contempt of their Titles, founded upon that Reſiſtance which was made at the Revolution?

Every Preacher ought to anſwer for all the Conſequences of his Doctrine. The Doctor has not in any part of his Speech clear'd his Doctrine from theſe Conſequences. But he has ſolemnly proteſted, he has invok'd God and his Holy Angels to witneſs, that with the greateſt Sincerity of Heart he believes the Queen's Title is indiſputable, and that when it ſhall pleaſe God to gather her Majeſty without Iſſue to her Anceſtors, the Proteſtant Succeſſion will have an undoubted Right to take place. Fear of God! Shame of Men! Reverence of Holy things! whether were ye fled, when theſe Hypocriſys were utter'd? Will it clear the Doctor, to lay the Guilt of this Speech upon thoſe Gentlemen who compos'd it? Or can it be imagin'd that he has no more to anſwer for than a Player

erfor his Part, which, without any design of imposing upon us, he has only acted upon the Stage?

Is not an Oath equally binding, by whomsoever the Form has been compos'd? And are not such great and tremendous Appeals to Heaven, pronounc'd with such Solemnity and before such an Assembly, much more pompous, and no less sacred than any common Form of an Oath, administer'd in a manner less solemn and affecting in our ordinary Courts of Judicature?

But let not these Gentlemen flatter themselves that they have the People on their side. Indeed a Mob has been wrought up by Artifice, wicked Industry, and subtle Insinuations of the Churche's Danger from the Queen and her Ministry. A little time, and these Delusions will vanish; and when the Eyes of these poor Wretches shall be open'd, they will quickly see that neither Church nor State are in any manner of danger unless from such Leaders, and those that blindly follow them. But however this shall be, our happy Constitution will be able to preserve it self.

FINIS.

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